

STATE OF WISCONSIN
Senate Journal
Eighty-Seventh Regular Session

THURSDAY, May 22, 1986

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Rabbi Samuel R. Weinstein, Associate Rabbi of The Temple in Atlanta, Georgia. Rabbi Weinstein is the son-in-law of Senator Lorman.

The senate remained standing and Senator Lorman led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 648

An act to repeal, renumber, amend, reenact and revise various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Senate Bill 648** was considered at this time.

Senate Bill 648

An act to repeal, renumber, amend, reenact and revise various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating

unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 648

Read a third time and passed.

Senate Bill 649

An act to repeal, renumber, renumber and amend, amend and create various provisions of subchapter II of chapter 10 of the statutes for the purpose of correction of election occurrences listings (Revisor's Correction Bill).

By Law Revision Committee.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Senate Bill 649** was considered at this time.

Senate Bill 649

An act to repeal, renumber, renumber and amend, amend and create various provisions of subchapter II of chapter 10 of the statutes for the purpose of correction of election occurrences listings (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 649

Read a third time and passed.

COMMITTEE REPORTS

The committee on Economic Development reports and recommends:

LE CAPITAINE, JANE, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1987.

Confirmation:

Ayes, 5 -- Senators Ulichny, Cullen, Czarnecki, Hanaway and McCallum;

Noes, 0 -- None.

BARBARA L. ULICHNY
Chair

The committee on Agriculture, Health and Human Services reports and recommends:

DELP, DR. ARLEN, of New Berlin, as a member of the Medical Examining Board, to serve for the term ending July 1, 1990.

Confirmation:

Ayes, 6 -- Senators Moen, Otte, Feingold, Strohl, Rude and Chilsen;

Noes, 0 -- None.

FLANSBURG, RONALD F., of Brookfield, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 1990.

Confirmation:

Ayes, 6 -- Senators Moen, Otte, Feingold, Strohl, Rude and Chilsen;

Noes, 0 -- None.

DEVAN, DR. DOUGLAS G., of Kenosha, as a member of the Medical Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Moen, Otte, Feingold, Strohl, Rude and Chilsen;

Noes, 0 -- None.

RODNEY C. MOEN
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

KING, ELIZABETH, of Green Bay, as a member of the Judicial Commission, to serve to the term ending August 1, 1989.

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

LYNCH, SUSAN K., of Stevens Point, as a member of the Public Defender Board, to serve to the term ending May 1, 1987.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

FLANAGAN, JOSEPH F., of Whitefish Bay, as a member of the Ethics Board, to serve for the term ending May 1, 1990.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

CARLEY, JAMES, of Madison, as a member of the Public Defender Board, to serve for the term ending May 1, 1989.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

KAHN, CHARLES, Jr., of Shorewood, as a member of the Public Defender Board, to serve for the term ending May 1, 1989.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

SMITH, THOMAS S., of Pine River, as a member of the Ethics Board, to serve for the term ending May 1, 1992.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

IBARRA, DAGOBERTA, of Waukesha, as a member of the Public Defender Board, to serve to the term ending May 1, 1989.

Confirmation:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

LYNN S. ADELMAN
Chair

The committee on Energy and Environmental Resources reports and recommends:

VAN DREEL, MARY LOU, of Green Bay, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1989.

Confirmation:

Ayes, 8 -- Senators Strohl, Chvala, Lee, Adelman, Norquist, Ellis, Hanaway and Theno;

Noes, 0 -- None.

JOE STROHL
Chair

The committee on Urban Affairs, Utilities and Elections reports and recommends:

EDGAR, GEORGE, of Madison, as commissioner of the Public Service Commission, to serve for the term ending March 1, 1989.

Confirmation:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;

Noes, 0 -- None.

Wisconsin Housing and Economic Development Authority Fiscal Year 1985-86 Plan for the Utilization of WHEDA Surplus Reserves.

The committee recommends its previous modifications be amended to read as follows:

The committee recommends modifying "Dividends for Wisconsin" by decreasing the allocation to "Other Housing Loans" under Plan Category 2 by \$1,350,000 and increasing the allocations to "Special Housing Situations" and "CHAP Bridge Loans" under Plan Category 3 and to "Housing Grants" under Plan Category 4 by \$450,000 each. Further, the committee recommends that WHEDA expend the total amount

allocated under Plan Category 4 to "Housing Grants" such that no portion of the allocation may lapse to future surplus reserves.

Passage:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Lasec and Rude;
Noes, 0 -- None.

MORDECAI LEE
Chair

PETITIONS AND COMMUNICATIONS

Senate Petition 38

A petition by 160 residents of the state of Wisconsin in support of revising current child support laws.

By Senator Lorman.

Read and referred to committee on Agriculture, Health and Human Services.

Mordecai Lee
State Senator

May 20, 1986

Dear Governor Earl:

Earlier today, the Senate's Urban Affairs, Utilities and Elections Committee voted to amend its previous modifications to "Dividends for Wisconsin", the Wisconsin Housing and Economic Development Authority Fiscal Year 1985-86 Plan for the Utilization of WHEDA Surplus Reserves, to read as follows:

The committee recommends modifying "Dividends for Wisconsin" by decreasing the allocation to "Other Housing Loans" under Plan Category 2 by \$1,350,000 and increasing the allocations to "Special Housing Situations" and "CHAP Bridge Loans" under Plan 3 and to "Housing Grants" under Plan Category 4 by \$450,00 each. Further, the committee recommends that WHEDA expend the total amount allocated under Plan Category 4 to "Housing Grants" such that no portion of the allocation may lapse to future surplus reserves.

It is our understanding that if you concur with the proposed modifications the review period for the standing committees will extend by 10 days.

Thanks.

Sincerely,
MORDECAI LEE
Chair

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

To the Honorable, the Senate:

As required, this communication is a full report of all executive clemency granted in calendar year 1985. Of 224 applications, 77 were granted. Sixty-three applicants, none still serving their sentences, were granted pardons, 14 were granted commutation.

If you wish more information about a case, please contact me. (Note: "PTAC" means party to a crime.)

Respectfully,
ANTHONY S. EARL
Governor

Melissa (Broderson) Pratt, convicted in St. Croix County of burglary (PTAC) on 6/24/82 and sentenced to one year probation was granted a pardon, because she has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since her conviction.

Douglas Balko, convicted in Rusk County of delivery of marijuana on 11/5/75 and sentenced to 2 years probation, 60 days jail was granted a pardon, because he is currently employed, wishes to be able to possess a firearm for hunting purposes, has no other criminal record and sufficient time has passed since his conviction.

Ross F. Balsom, convicted in Ozaukee County of enticing a child for immoral purposes on 9/24/62 and sentenced to two years probation was granted a pardon, because he has been a productive member of society, is self-employed, has no other criminal record and sufficient time has passed since his conviction.

Elmer E. Bartells, convicted in Columbia County of embezzlement on 8/17/78 and sentenced to 5 years probation with \$2,883 restitution was granted a pardon, because he has no other criminal record, wishes to possess a firearm to enable him to hunt with his son and sufficient time has passed since his conviction.

Jimmie P. Beilke, convicted in Taylor County of 3 counts of felony theft and 1 count of misdemeanor theft on 3/19/75 and sentenced to five years probation, 8 months in jail under Huber law with restitution was granted a limited pardon to allow possession of a firearm for hunting purposes only, because he is currently employed, wishes to be able to possess a firearm to hunt with his children, has no other criminal record and sufficient time has passed since his conviction.

John P. Boomer, convicted in Waukesha County of burglary (PTAC) on 7/15/75 and sentenced to 2 years probation and in Waukesha County of delivery of phencyclidine on 8/17/77 and sentenced to 2 years imprisonment was granted a pardon, because he has been a productive member of society, requires a pardon to travel overseas to supervise a "Teen Mission" and become a pastor missionary, has completed Bible college, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Arthur Kenneth Brachmann, convicted in Manitowoc County of 2 counts forgery 11/20/68 and sentenced to a \$29.00 fine 2 year probation and obstructing an officer on 1/27/78 and sentenced to a \$50.00 fine was granted a pardon for the felony convictions, because he is currently employed, needs a pardon to continue his work with the U.S. Geological Survey, has no other criminal record and sufficient time has passed since his conviction.

Jeff J. Bulik, convicted in Kenosha County of burglary on 9/12/72 and sentenced to 2 years probation with restitution was granted a pardon, because he is

currently employed, wishes to possess a firearm and become a licensed gun dealer, has no other criminal record and sufficient time has passed since his conviction.

James Richard Buzaitis, convicted in Sheboygan County of auto theft on 8/29/62 and sentenced to one year probation was granted a pardon, because he has been a productive member of society, wishes to be eligible for a job as a correctional officer, has no other criminal record and sufficient time has passed since his conviction.

Sandra Kay Carlson, convicted in Langlade County of obtaining possession of Didrex by forgery on 1/28/80 and sentenced to 1 year probation and in Portage County of obtaining possession of Didrex by forgery on 8/26/80 and sentenced to 2 years probation, to run concurrent with present probation and treatment as recommended by probation officer and in Oneida County of obtaining and possession of Didrex by forgery on 8/13/81 and sentenced to 3 years probation, 90 days in jail and 90 days inpatient treatment was granted a pardon, because she has been a productive member of society, much community support was demonstrated, needs a pardon to continue her employment with the Vilas county Sheriff's Department, is productively employed, has no other criminal record and sufficient time has passed since her conviction.

Joseph Lewis Cook, convicted in Milwaukee County of first degree murder on 9/10/74 and sentenced to life imprisonment was granted a commutation to 22 years, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of the opportunities for improvement offered, has no other criminal record and has severe health problems requiring treatment.

Norman Lee Culpitt, convicted in Monroe County of assault with intent to do great bodily harm on 4/24/56 and sentenced to 3 years probation, with restitution, was granted a pardon, because he has been a productive member of society, would like to resume his career in law enforcement, has no other criminal record and sufficient time has passed since his conviction.

Charles Davidson, convicted in Milwaukee County of burglary on 11/17/70 and sentenced to 9 months county jail, with Huber privileges and 3 years probation was granted a pardon, because he has been a productive member of society, has much community support, has acquired a bachelors degree in criminal justice, has no other criminal record and sufficient time has passed since his conviction.

Randall W. Dunsmoor, convicted in Brown County of possession of a non-narcotic controlled substance with intent to deliver on 10/25/82 and sentenced to 3 years probation was granted a pardon, because he is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Sheldon L. Elverman, convicted in Kenosha County of receiving stolen goods on 6/22/72 and sentenced to a \$300.00 fine was granted a pardon, because he has been a productive member of society, has no other criminal

record and sufficient time has passed since his conviction.

Donald A. Fogt, convicted in Milwaukee County of robbery on 2/26/73 and sentenced to 5 years probation with continued VA program participation was granted a pardon, because he is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Jesse J. Ford III, convicted in Dane County of 2 counts first degree murder (PTAC) on 2/9/73 and sentences to 2 terms of life imprisonment, concurrent, and in Dane County of armed robbery and concealing identity on 2/9/73 and sentenced to 5 years concurrent and 30 years consecutive to life sentences was granted a commutation of the two life sentences to 50 years each, concurrent, because he has a record of good conduct while imprisoned, has been productively engaged, strong support is demonstrated, and has no other criminal record.

Kelly B. Forsythe, convicted in Columbia County of aggravated battery on 1/22/73 and sentenced to three years imprisonment was granted a pardon, because he is currently employed, wishes to run for public office, has no other criminal record and sufficient time has passed since his conviction.

Robert E. Garside, convicted in Grant County of burglary on 7/7/75 and sentenced to 2 years reformatory, 3 years probation and restitution was granted a pardon, because he wishes to become a Certified Public Accountant and feels a pardon would improve his efforts to secure a position in this field, he has no other criminal record and sufficient time has passed since his conviction.

James R. Giesen, convicted in Grant County of theft on 9/10/81 and sentenced to one year probation was granted a pardon, because he has no other criminal record and sufficient time has passed since his conviction.

Barry D. Gliński, convicted in Jackson County of 2 counts burglary on 4/5/71 and sentenced to one year on each count, concurrent was granted a pardon, because he is a restaurant manager and needs to obtain liquor handling permits, he has no other criminal record and sufficient time has passed since his conviction.

James Lee Harris, convicted in Milwaukee County of first degree murder (PTAC) and armed robbery (PTAC) on 4/17/73 and sentenced to life imprisonment and 25 years imprisonment, consecutive, was granted a commutation of the life sentence to 50 years consecutive with 25 year sentence, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has no other criminal record, and has strong support from supervisors, professors and institution staff.

Gene A. Heil, convicted in Brown County of armed robbery on 11/18/75 and sentenced to 2 years probation with 8 months in county jail was granted a pardon, because he has no other criminal record, requires a

pardon for employment purposes and sufficient time has passed since his conviction.

Raymond M. Hirn, Jr., convicted in Milwaukee County of theft on 8/3/73 and sentenced to 3 years probation with restitution was granted a pardon, because he has been a productive member of society, needs licenses to operate and manage his own business, he has no other criminal record and sufficient time has passed since his conviction.

John J. Hofmaster, convicted in Dane County of misdemeanor reckless use of a weapon on 1/3/84 and sentenced to 18 months probation, drug and alcohol abuse counseling was granted a limited pardon to obtain a school bus driver's license, because he requires a school bus driver's license to retain his job as a bus driver, has been a productive member of society, is currently employed, no other criminal record and sufficient time has passed since his conviction.

John Husman, convicted in Winnebago County of burglary on 7/11/75 and sentenced to 3 years probation, 60 days in jail with work release privileges and in Winnebago County of carrying a concealed weapon on 4/9/76 and sentenced to 20 days in jail under Huber Law was granted a pardon, because he wishes to be bonded and become a licensed insurance agent, he has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Bobby James Johnson, convicted in Milwaukee County of first degree murder on 12/15/72 and sentenced to life imprisonment was granted a commutation to 75 years, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has strong support from family, friends and teachers and has no other criminal record.

Noreen H. Kelly, convicted in Winnebago County of first degree murder on 10/16/74 and sentenced to life imprisonment was granted a commutation to 50 years, because she has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has no other criminal record, has good prospects for employment in a minimum security setting and a commutation will enable a transfer to a less security.

Gerald O. Kjemhus, convicted in Winnebago County of burglary on 11/8/74 and sentenced to 3 years probation was granted a pardon, because he has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

David Koster, convicted in Portage County of endangering the safety of another by conduct imminently dangerous to another and evincing a depraved mind, regardless of human life on 7/6/76 and sentenced to 18 months probation with restitution of \$169.00 was granted a pardon, because he needs a pardon to qualify for a correctional officer position, has been a productive member of society, is currently employed, has no other

criminal record and sufficient time has passed since his conviction.

Steven Michael Krutchen, convicted in Dane County two counts of robbery on 6/20/66 and sentenced on 2/6/68 to two years imprisonment on each count concurrent with each other and other sentences and in Dane County of eluding an officer and operating after revocation on 2/6/68 and sentenced to six months in jail on each count concurrent with each other and other sentences and in Dane County of carrying a concealed weapon on 2-6-68 and sentenced to one year imprisonment, concurrent with all other sentences, was granted a limited pardon to allow possession of a firearm where required in the course of employment, because he has been a productive member of society, needs a pardon for his job, is currently employed by the Division of Corrections, has no other felony criminal record and sufficient time has passed since his conviction.

Larry Dean La Seure, convicted in LaCrosse County of burglary on 12/17/62 and sentenced to 3 years probation was granted a pardon, because he has been a productive member of society, is currently employed, wishes to obtain a license to sell real estate, has no other criminal record and sufficient time has passed since his conviction.

Patrick J. LaChappelle, convicted in Eau Claire County of delivering cocaine on 7/3/75 and sentenced to 1 year imprisonment and in Eau Claire County of delivering LSD on 7/17/75 and sentenced to one year, concurrent with the other sentence was granted a pardon, because he has been a productive member of society, is currently employed, has strong support from the prosecuting district attorney, has no other criminal record and sufficient time has passed since his conviction.

Eric D. Lenz, convicted in Dane County of possession with intent to deliver a controlled substance on 6/13/75 and sentenced to 3 years probation, first 120 days to be served in jail was granted a pardon, because he has been a productive member of society, is currently employed, has strong support from his employer who affirms he needs a pardon to receive a promotion requiring a notary public commission, has no other criminal record and sufficient time has passed since his conviction.

Richard R. Luckman, convicted in Ozaukee County of three counts of armed robbery on 4/13/70 and sentenced to thirty years on each count, concurrent, was granted a commutation to time served, because he wishes to seek financial assistance to promote his physical fitness business and feels a pardon would remove any restrictions to a successful business, he has no other criminal record and sufficient time has passed since his conviction.

Russell Ludeking, convicted in Rock County of masked armed robbery on 5/13/75 and sentenced to 5 years probation was granted a pardon, because he has been a productive member of society, is currently employed, requires a pardon to be considered for a position with the military, has strong support from supervisors, his Congressional Representative and the

prosecuting district attorney, he has no other criminal record and sufficient time has passed since his conviction.

Allen L. Lueck, convicted in LaCrosse County of battery to a peace officer on 4/21/80 and sentenced to 2 years probation was granted a pardon, because he has support from the victim, has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Marvin Madden, convicted in Dane County of first degree murder, 2 counts (PTAC) on 9/2/73 and sentenced to 2 terms of concurrent life imprisonment and in Dane County of armed robbery (PTAC) on 9/2/73 and sentenced to thirty years imprisonment, consecutive with other sentences, was granted a commutation of the life sentences to 50 years each, concurrent, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has strong support from supervisors and has no other criminal record.

Janice M. Maglio, convicted in Dane County of grand theft on 3/18/76 and sentenced to 2 years probation was granted a pardon, because she has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since her conviction.

Donald William Mannery, convicted in Milwaukee County of attempted sexual assault with a child on 8/10/67 and sentenced to 2 years imprisonment consecutive to other sentences and in Milwaukee County of 2 counts sexual intercourse with a child on 8/10/67 and sentenced to 3 years imprisonment consecutive to other sentences and in Milwaukee County of sexual intercourse with a child on 8/10/67 and sentenced to 7 years imprisonment consecutive to other sentences and 3 years imprisonment consecutive to other sentences was granted a pardon, because he has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Joseph Peter Meeuwssen, convicted in Brown County of burglary on 7/9/74 and sentenced to 2 years probation with a \$500.00 fine was granted a pardon, because he has strong support, wishes to be able to possess a firearm for hunting purposes, wishes to run for alderman, has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Dennis A. Meyer, convicted in Milwaukee County of burglary on 12/18/59 and sentenced to two years probation with restitution and in Milwaukee County of forgery on 12/18/59 and sentenced to two years probation was granted a pardon, because he wishes to possess a firearm for hunting purposes, has no other criminal record and sufficient time has passed since his conviction.

Jennifer Lynn Moore, convicted in Sheboygan County of 2 counts forgery on 6/21/76 and sentenced to 2 years probation, concurrent on each count and

psychiatric counseling was granted a pardon, because she needs a pardon to become a police officer, has no other criminal record and sufficient time has passed since her conviction.

Richard L. Palmer, convicted in Waupaca County of 8 counts of burglary and theft on 4/26/68 and sentenced to 15 months imprisonment was granted a pardon, because he has no other criminal record, wishes to run for public office, wants to obtain a broker's license and sufficient time has passed since his conviction.

Stephen H. Pilder, convicted in Outagamie County of sale of marijuana on 2/15/73 and sentenced to 1 year probation, with restitution of \$40.00, was granted a pardon, because he has no other criminal record, sufficient time has passed since his conviction, he needs a pardon to travel overseas for his job and to obtain federal licenses for his scientific research.

Lloyd Richard Rapinski (Shields), convicted in Portage County of attempted aggravated battery on 11/4/71 and sentenced to one year probation with a \$250.00 fine was granted a pardon, because he has no other criminal record, wishes to possess a firearm for hunting and selling purposes and sufficient time has passed since his conviction.

John D. Rockefeller, convicted in Milwaukee County of 5 counts burglary, (PTAC), 4 counts theft (PTAC), one count threat to a witness on 12/19/75 and sentenced to 9 years imprisonment on each burglary count, consecutive, on each of the 3 thefts to 10 years imprisonment concurrent, on 1 theft to 4 years concurrent, (net sentence 45 years imprisonment) was granted a commutation of the two burglary counts to run concurrent, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has an employment offer with Carley Capital Group, has no other criminal record and sufficient time has passed since his conviction.

Jeffrey A. Rostas, convicted in Dane County of endangering safety by conduct regardless of life on 10/23/81 and sentenced to 18 months probation with 100 hours of community service was granted a pardon, because he has no other criminal record, sufficient time has passed since his conviction, has completed dentistry school, requires a pardon to obtain dentistry licenses, has support from professors and the prosecuting district attorney and no objection was made by the sentencing judge.

Richard Allen Salzman, convicted in Columbia County of sexual intercourse with a minor on 10/5/73 and sentenced to 3 years probation was granted a limited pardon, to allow possession of a firearm for hunting purposes only, because he wishes to be able to hunt with his family, he has no other criminal record and sufficient time has passed since his conviction.

Michael P. Sanderson, convicted in Barron County of delivery of controlled substance on 9/23/75 and sentenced to 2 years probation with \$269.00 restitution was granted a pardon, because he has been a productive member of society, requires a pardon due to an

employment offer, has no other criminal record and sufficient time has passed since his conviction.

Joan M. Sarauer (Schmidt), convicted in Walworth County of welfare fraud on 3/19/81 and sentenced to 2 years probation with restitution was granted a pardon, because she has been a productive member of society, requires a pardon to enlist in the Navy Reserves, has made restitution, has no other criminal record and sufficient time has passed since her conviction.

Donald G. Schreck, convicted in Milwaukee County of commercial gambling on 7/31/64 and sentenced to one year imprisonment and in Waukesha County of aiding and abetting theft on 1/29/66 and sentenced to 2 years imprisonment, concurrent with other sentence, was granted a conditional pardon to allow him to be hired as a correctional officer with the Waukesha County Sheriff, because he has no other criminal record and sufficient time has passed since his conviction.

Warren P. Schuck, convicted in Sauk County of delivery of controlled substance on 9/14/73 and sentenced to 18 months imprisonment was granted a pardon, because he has no other criminal record and sufficient time has passed since his conviction.

Mando Joseph Schuh, convicted in Sheboygan County of causing bodily harm on 10/23/61 and sentenced to three years imprisonment and auto theft on 10/23/61 and sentenced to one year imprisonment, concurrent with each other was granted a pardon, because he wishes to run for public office, has been a productive member of society, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Russell Lloyd Scott, convicted in Milwaukee County of sale of marijuana on 2/28/68 and sentenced to one year probation, costs was granted a pardon, because he needs a pardon to possess a firearm as a job requirement, has no other criminal record and sufficient time has passed since his conviction.

Lon D. Seffinga, convicted in Sawyer County of burglary on 6/3/71 and sentenced to three years probation with restitution was granted a pardon, because he has wishes to run for Town Constable, is currently employed, has strong support from his supervisor and co-worker, has no other criminal record and sufficient time has passed since his conviction.

Kevin J. Shelley, convicted in Milwaukee County of first degree murder (PTAC) on 8/3/77 and sentenced to life imprisonment and in Milwaukee County of armed burglary (PTAC) on 8/3/77 and sentenced to 20 years imprisonment, concurrent with life sentence was granted a commutation of the life sentence to 50 years, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has strong support from institution staff and has no other criminal record.

Lerie A. Smith, convicted in Crawford County of possession of marijuana with intent to deliver on 10/13/75 and sentenced to two years probation was granted a pardon, because she wishes to have a pardon in order to

organize an association to certify mid-wife groups, has no other criminal record and sufficient time has passed since her conviction.

Robert C. Spitz, convicted in Milwaukee County of theft on 3/9/61 and sentenced to 18 months probation was granted a pardon, because he needs a pardon to start a small business, requiring particular licenses, is currently employed, has no other criminal record and sufficient time has passed since his conviction.

Robert A. Stanelle, convicted in Calumet County of first degree sexual assault on 12/12/83 and sentenced to 3 years imprisonment was granted a commutation to time served, because he has no other criminal record, and he needs a pardon to travel overseas where he can receive treatment for a deteriorating illness.

Joe Stinson, convicted in Racine County of armed robbery (PTAC) on 3/5/82 and sentenced to 8 years imprisonment, concurrent with any other sentence, was granted a commutation to 7 years and 6 months, conditional on his continued employment because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has strong support from his employer, needs a reduction in his sentence in order to maintain his employment on work release.

James Allen Stokes, convicted in Milwaukee County of injury by conduct regardless of life on 9/25/72 and sentenced to 5 years imprisonment was granted a pardon, because he has completed his masters in social work, is currently employed, has no other criminal record, sufficient time has passed since his conviction, has strong community support and several recommendations from professors, his employer, he needs a pardon to run for public office.

Gale D. Strasburg, convicted in Oneida County of 2 counts burglary on 4/19/75 and sentenced to 1 1/2 years probation was granted a pardon, because he has no other criminal record, needs a pardon to qualify for a job with a police force, he was seventeen years old at the time of the offense and sufficient time has passed since his conviction.

Steven J. Thein, convicted in Outagamie County of burglary on 3/11/69 and sentenced to 3 years probation was granted a limited pardon to permit handling of explosives, because he needs a pardon to continue his employment requiring a blaster's license, he has no other criminal record and sufficient time has passed since his conviction.

James L. Turner, convicted in Milwaukee County of first degree murder on 11/27/72 and sentenced to life imprisonment was granted a commutation to 50 years, because he has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of opportunities for improvement offered, has strong support from institution staff and has no other criminal record.

Letitia A. Walker, convicted in Dane County of possession of cocaine on 5/2/83 and sentenced to 1 year probation with restitution of \$490.00 was granted a

pardon, because she has no other criminal record, needs a pardon to obtain a school bus driver's license and sufficient time has passed since her conviction.

Leo A. Weschnefski, convicted in Kenosha County of assault and theft, unarmed on 3/7/53 and sentenced to 1 to 2 years imprisonment was granted a pardon, because he has no other criminal record, sufficient time has passed since his conviction and he needs a pardon to be able to possess a firearm to be able to hunt with his wife.

Howard A. Zahorik, convicted in Marinette County on 12/22/81 and sentenced to 18 months probation was granted a pardon, because he has no other criminal record, needs a pardon for a job promotion requiring security clearance, has strong support from his employer and co-workers and sufficient time has passed since his conviction.

Beth Michele Boven Frost, convicted in Door County of forgery on 5/26/77 and sentenced to one year probation with \$100.00 fine was granted a pardon, because she has been a productive member of society, has no other criminal record and sufficient time has passed since her conviction.

Ronnie Fuller, convicted in Milwaukee County of burglary on 4/12/66 and sentenced to 3 years probation was granted a pardon, because he has an incurable illness and wishes to possess firearms to hunt with his son before his illness worsens, has no other criminal record and sufficient time has passed since his conviction.

James R. Giesen, convicted in Grant County of theft on 9/10/81 and sentenced to one year probation was granted a pardon, because he wishes to possess a firearm for hunting purposes, feels a pardon will enhance his employment opportunities, has no other criminal record and sufficient time has passed since his conviction.

Leroy Pautz, convicted in Oconto County of burglary on 2/7/69 and sentenced to six months in the county jail with Huber privileges was granted a pardon, because he needs a pardon to run for public office, wishes to regain his position as Deputy Sheriff, has support from the Sheriff's Department, Mayor of Gillett and the police department, has no other criminal record and sufficient time has passed since his conviction.

Richard Lee Gilbertson, convicted in Dane County of petty theft on 5/27/69 and sentenced to \$200.00 fine was granted a pardon, because he needs a pardon to become a police officer, is currently employed, his crime was a minor offence committed when he was 16 years old, has no other criminal record and sufficient time has passed since his conviction.

Myles Walter Marshall, convicted in Milwaukee County of first degree murder on 4/21/76 and sentenced to life imprisonment was granted a commutation to 30 years, because he has much family support, is involved in religious groups, was instrumental in saving lives of hostages in a prison riot, has a record of good conduct while imprisoned, has been productively engaged, has endeavored to make use of the opportunities offered and has no other criminal record.

Emmett Thompson, convicted in Milwaukee County of endangered safety by conduct regardless of life on 2/

25/74 and sentenced to 3 years probation was granted a pardon, because he has much support from his family, alderman, community, co-workers and employer, has paid the victim's hospital expenses, wishes to possess a firearm for hunting purposes, admits his guilt and shows remorse, has no other criminal record and sufficient time has passed since his conviction.

Martin Wickersham, convicted in Milwaukee County of burglary on 4/11/69 and sentenced to 3 years probation with restitution was granted a pardon, because he wishes to enhance his employment opportunities, is working toward a degree in computer mechanics, has been involved in volunteer work through his church, has no other criminal record and sufficient time has passed since his conviction.

Bradford Williams, convicted in Milwaukee County of 2 counts delivery of amphetamines on 9/19/75 and sentenced to 3 years probation for each count, concurrent, was granted a pardon, because he feels a pardon will enhance his counseling career, is currently employed, is a certified drug and alcohol counselor, has recommendations from his church group, members of the Division of Corrections, co-workers and supervisors, has no other criminal record and sufficient time has passed since his conviction.

CALENDAR OF MAY 22

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse.

ABEL, RUBY, of Beaver Dam, to the Snowmobile Recreational Council, to serve a term to expire July 1, 1989.

Read.

CARLEY, JAMES, of Madison, as a member of the Public Defender Board, to serve to the term ending May 1, 1989.

Read.

DELP, DR. ARLEN, of New Berlin, as a member of the Medical Examining Board, to serve for the term ending July 1, 1990.

Read.

DEVAN, DR. DOUGLAS G., of Kenosha, as a member of the Medical Examining Board, to serve for the term ending July 1, 1989.

Read.

DITTMAR, BEVERLY, of Wausau, to the Snowmobile Recreational Council, to serve a term to expire July 1, 1989.

Read.

DOHNER, SUZANNE, of Baraboo, to the Real Estate Board, to serve for the term ending July 1, 1990.

Read.

EDGAR, GEORGE, of Madison, as commissioner of the Public Service Commission, to serve for the term ending March 1, 1989.

- Read.
- EDL, STEVE, of Lake Geneva, to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve a term to expire July 1, 1990.
Read.
- FLANAGAN, JOSEPH F., of Whitefish Bay, as a member of the Ethics Board, to serve for the term ending May 1, 1990.
Read.
- FLANSBURG, RONALD F., of Brookfield, as a member of the Veterinary Examining Board, to serve for the term ending July 1, 1990.
Read.
- FLORES, NESS, of Waukesha, as a member of the University of Wisconsin Board of Regents, to serve for the seven year term commencing May 1, 1986.
Read.
- GESCHIEDLE, JIM, of Fond du Lac, to the Snowmobile Recreational Council, to serve a term to expire July 1, 1989.
Read.
- GOEBEL, MATTHIAS, of Elkhorn, to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve a term to expire July 1, 1990.
Read.
- HILLIARD, SUSAN, of Briggsville, to the Snowmobile Recreational Council, to serve a term to expire July 1, 1989.
Read.
- IBARRA, DAGOBERTA, of Waukesha, as a member of the Public Defender Board, to serve to the term ending May 1, 1989.
Read.
- JOHNSON, DOROTHY, of Appleton, to the Fox River Management Commission, to serve a term to expire March 1, 1989.
Read.
- KAHN, CHARLES F., of Shorewood, as a member of the Public Defender Board, to serve to the term ending May 1, 1989.
Read.
- KING, ELIZABETH, of Green Bay, as a member of the Judicial Commission, to serve to the term ending August 1, 1989.
Read.
- KINNEY, MARJORIE, of Superior, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1990.
Read.
- LYNCH, SUSAN K., of Stevens Point, as a member of the Public Defender Board, to serve to the term ending May 1, 1987.
Read.
- MASSON, THOMAS E., of Oconomowoc, to the Snowmobile Recreational Council, to serve a term to expire July 1, 1989.
Read.
- MURPHY, DONALD R., of Madison, as a member of the Personnel Commission, to serve for the term ending March 1, 1991.
Read.
- NIMZ, LYNN, of Wausau, as a member of the Waste Facility Siting Board, to serve for the term ending May 1, 1989.
Read.
- PATTERSON, THADIS, of Milwaukee, as a member of the Board on Aging and Long-Term Care, to serve for the term ending May 1, 1991.
Read.
- POEHLMAN, JOHN J., of Shorewood, to the Real Estate Board, to serve for the term ending July 1, 1990.
Read.
- POWERS, SANGER B., of Green Bay, as a member of the Personnel Board to serve for the term ending July 1, 1991.
Read.
- REIGEL, WILLIAM H. of Marshfield, to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve a term to expire July 1, 1990.
Read.
- REINARDY, SUSAN, of Madison, as a member of the Accounting Examining Board, to serve for the term ending July 1, 1990.
Read.
- ROSENBERG, DR. DONALD, of Wausau, as a member of the Educational Communications Board, to serve for the term ending July 1, 1988.
Read.
- SCHIEFFER, PHYLLIS, of Rice Lake, as a member of the Community Development Finance Authority, to serve for the term ending September 1, 1991.
Read.
- SCHLAVENSKY, LINDA, of Appleton, as a member of the Real Estate Board, to serve for the term ending July 1, 1990.
Read.
- SCHMERLING, SHIRLEY, of Kenosha, as a member of the Bingo Control Board, to serve for the term ending May 1, 1991.
Read.

SHETH, PREMAL, of Eau Claire, to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve a term to expire July 1, 1990.

Read.

SMITH, THOMAS S., of Pine River, as a member of the Ethics Board, to serve for the term ending May 1, 1992.

Read.

SNEED, CAROLYN P., of Washburn, as a member of the Waterways Commission, to serve for the term ending March 1, 1991.

Read.

SYKES, JAMES T., of Madison, as a member of the Wisconsin Housing and Economic Development Authority, to serve to the term ending January 1, 1990.

Read.

TRYON, ROSALIE, of Fond du Lac, as a member of the Community Development Finance Authority, to serve for the term ending September 1, 1991.

Read.

VAN DE HEY, RONALD L., of Kaukauna, to the Fox River Management Commission, to serve a term to expire March 1, 1989.

Read.

WATERMOLEN, BERNARD L., of Green Bay, to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve a term to expire July 1, 1990.

Read.

WILLIS, MARY S., of Eagle River, as a member of the Waterways Commission, to serve for the term ending March 1, 1991.

Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

SENATE CLEARINGHOUSE ORDERS

The committee on Education and Government Operations reports and recommends:

Clearinghouse Rule 85-103

AN ORDER to amend Adm 30.03 (4) and 30.05 (9), relating to payroll deductions for charitable purposes.

Submitted by Department of Administration.

No action taken.

JOSEPH J. CZARNEZKI
Chair

The senate stood informal for nine minutes.

10:30 A.M.

10:39 A.M.

The senate reconvened.

By request of Senator Kreul, with unanimous consent, the senate recessed until 11:40 A.M.

10:40 A.M.

RECESS

11:40 A.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

CALENDAR OF MAY 20

Senate Bill 2, September Special Session

Relating to making an appropriation for technology development grants.

Read.

The question was: Shall Section 2 of the bill pass notwithstanding the objections of the Governor?

By request of Senator Cullen, with unanimous consent, Senate Bill 2, September Special Session was laid on the table.

Senate Bill 120

Relating to campaign financing, providing a penalty and making an appropriation.

Read.

By request of Senator Engeleiter, with unanimous consent, the question was divided and Section 19em, Section 51, Section 63, Section 75g and Section 76 were laid on the table.

The question was: Shall Section 15g of the bill pass notwithstanding the objections of the governor?

Senator Cullen moved that Section 15g be laid on the table.

The question was: Shall Section 15g of the bill be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Rude, Stitt and Theno -- 14.

Absent or not voting -- None.

So the motion prevailed.

Senate Bill 318

Relating to various changes in the law regulating public utilities, making an appropriation and granting rule-making authority.

Read.

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

By request of Senator Cullen, with unanimous consent, **Senate Bill 318** was laid on the table.

Senate Bill 546

Relating to sulfur dioxide and nitrogen oxide emission goals and limits, creating a council, providing for a study, granting rule-making authority, providing penalties and making appropriations.

Read.

The question was: Shall the vetoed portion of the bill pass notwithstanding the objections of the Governor?

Senator Cullen asked unanimous consent that **Senate Bill 546** be laid on the table.

The question was: Shall **Senate Bill 546** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Adelman, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Rude, Stitt and Theno -- 15.

Absent or not voting -- None.

So the motion prevailed.

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:44 P.M.

12:13 P.M.

RECESS

2:44 P.M.

The senate reconvened.

By request of Senator George, with unanimous consent, the rules were suspended and **Senate Joint Resolution 89** was introduced at this time.

Senate Joint Resolution 89

Relating to the life and public service of David McClain.

By Senators George, Risser, Cullen, Feingold, Chilsen, Engeleiter, Roshell, Kreul, Czarnezki, Lekan, McCallum, Lorman, Van Sistine, Davis, Harsdorf, Strohl, Andrea, Hanaway, Plewa, Kincaid, Moen, Stitt, Otte, Norquist and Rude; cosponsored by Representatives D. Travis, M. Coggs, Magnuson, R. Young, Loftus, Nelsen, Byers, Porter, Schultz, Johnsrud, Wineke, Rutkowski, Volk, Fergus, Looby, S. Coggs, Krug, Medinger, Menos, Van Gorden, Wimmer, Vergeront, Potter, R. Travis, Manske, Radtke, Turba, Grobschmidt, Carpenter, Schneiders, Vanderperren, Hasenohrl, Zeuske, Wood, Gronemus, Metz, Jauch, Brist, Barrett, Hubler, McEssy, Bradley, Weeden, Schober, Buettner, Margaret Lewis, Cowles, Tregoning, Foti, Coleman, Schneider, Goetsch, Shoemaker, Matty and York.

Read.

By request of Senator George, with unanimous consent, the entire membership of the Senate was made co-authors of **Senate Joint Resolution 89**.

By request of Senator George, with unanimous consent, the rules were suspended and **Senate Joint Resolution 89** was considered at this time.

The question was: Adoption of **Senate Joint Resolution 89**?

Adopted.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the senate recessed until 8:58 P.M.

3:05 P.M.

RECESS

8:58 P.M.

The senate reconvened.

By request of Senator Cullen, with unanimous consent, the Senate returned to the eighth order of business.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Senate Joint Resolution 89
Senate Bill 648
Senate Bill 649

Passed notwithstanding the objections of the Governor:

Assembly Bill 356

By request of Senator Cullen, with unanimous consent, the rules were suspended and the Scheduling Report of May 22 was taken up at this time.

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse.

LE CAPITAINE, JANE, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 1987.
Read.

VAN DREEL, MARY LOU, of Green Bay, as a member of the Fox River Management Commission, to serve for the term ending March 1, 1989.
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leman, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Chilsen and Ellis -- 2.

So the appointments were confirmed.

Assembly Bill 356

Relating to providing local child support agencies with notice and the opportunity to be heard in termination of parental rights proceedings.

Read.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

Senator Cullen moved that **Assembly Bill 356** be laid on the table.

The question was: Shall **Assembly Bill 356** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Feingold, George, Helbach, Kincaid, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Andrea, Engeleiter, Hanaway, Harsdorf, Kreul, Lasee, Leman, Lorman, McCallum, Roshell, Rude, Stitt and Theno -- 13.

Absent or not voting -- Senators Chilsen and Ellis -- 2.

So the motion prevailed.

By request of Senator Andrea, with unanimous consent, the Senate adjourned in honor of Romano Ferrari, Parliamentarian for the Italian Senate, who chose to observe the legislative process in the State of Wisconsin first.

Upon motion of Senator Cullen, the Senate adjourned pursuant to **Assembly Joint Resolution 1**.

9:05 P.M.